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Attorneys for Defendant Ford Motor Company

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Karen Elliott, an individual,
Plaintiff,

v.

Ford Motor Company, a Delaware
Corporation, TRW Automotive Holdings
Corp., a Delaware Corporation; and Autoliv
Inc., a foreign corporation,
Defendants.

No. CV 2004 0902 PHX SRB

**DEFENDANT FORD MOTOR
COMPANY'S MOTION FOR
SUMMARY DISPOSITION**

(Honorable Susan R. Bolton)

Defendant Ford Motor Company ("Ford") moves this Court for summary disposition pursuant to the Local Rules of Civil Procedure, Rule 7.2(i), because no response was filed to Ford's Motion To Reduce Deposition Fee of Dr. Rizzo Or, In The Alternative, Order Plaintiff To Pay \$600.00 Per Hour.

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1 The following Memorandum of Points and Authorities supports this motion.

2 DATED this _____ day of October, 2006.

3 BOWMAN AND BROOKE LLP

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5 By: s/ Iman R. Soliman

6 Barry C. Toone, Esq.

7 Jill S. Goldsmith, Esq.

8 Iman R. Soliman

9 Phoenix Plaza, Suite 1600

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Phoenix, Arizona 85012

Attorneys for Defendant Ford Motor
Company

10 **MEMORANDUM OF POINTS AND AUTHORITIES**

11 On October 3, 2006, Ford filed a Motion To Reduce Deposition Fee of Dr.
12 Rizzo Or, In The Alternative, Order Plaintiff To Pay \$600.00 Per Hour. Ford properly
13 served the motion to plaintiff. See Ford's Motion To Reduce Deposition Fee of Dr.
14 Rizzo Or, In The Alternative, Order Plaintiff To Pay \$600.00 Per Hour; certificate of
15 service p. 8. A response to the motion was due ten judicial days later, plus three days
16 for mailing, i.e. on October 23, 2006. See Rule 7.2.

17 Under Rule 7.2(i), the failure of the opposing party to comply with the procedural
18 requirements applicable to civil motions may be deemed a consent to the granting of
19 the motion, and the court may dispose of the motion summarily. Rule 7.2(i), Local
20 Rules of Civil Procedure.

21 Because there is no just cause to deny Ford's Motion To Reduce Deposition
22 Fee of Dr. Rizzo Or, In The Alternative, Order Plaintiff To Pay \$600.00 Per Hour,
23 and plaintiff has failed to respond, Ford respectfully requests that this Court Order Dr.
24 Rizzo to charge \$600.00 per hour for Deposition fee or Order plaintiff to pay \$600.00
25 per hour for Dr. Rizzo's deposition fee.

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1 DATED this 26th day of October, 2006.

2 BOWMAN AND BROOKE LLP

3
4 By: s/ Iman R. Soliman

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12 Company

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of October, 2006 I caused the attached document to be electronically transmitted to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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s/ Kelly Brubaker